

FAQ

Licensure Applications and Criminal Convictions

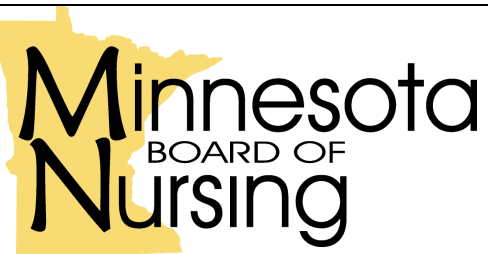
Can I obtain a Minnesota nursing license if I have been convicted of a crime(s)? In most instances, a criminal conviction will not automatically preclude a person from obtaining a Minnesota nursing license. The Minnesota Board of Nursing may not grant or renew a license to practice nursing to any person who has been convicted of a felony-level criminal sexual offense on or after August 1, 2014. However, for all other crimes, the Board of Nursing considers a number of factors when reviewing an applicant's criminal history to determine whether the applicant has demonstrated sufficient evidence of rehabilitation from his or her criminal act(s) and is, therefore, fit to practice nursing. These factors include, but are not limited to: (1) the nature and seriousness of the crime(s); (2) the circumstances of the crime(s), including mitigating circumstances; (3) the age of the person at the time the crime(s) was committed; (4) the length of time elapsed since the crime(s) was committed; and (5) all other competent evidence of rehabilitation and fitness to practice, including completion of any court-ordered probation requirements. After consideration of these factors, the Board will grant or deny a license to an applicant depending on the information obtained regarding the applicant's criminal history. The Board may grant the applicant a nursing license, but place certain conditions on the license for a period of time to ensure public safety.

If I am applying for a nursing license, when do I tell the Board about my criminal conviction(s)? Any person applying for a Minnesota nursing license will be required to answer a series of questions, including the following question: *Have you ever been convicted, entered a plea of guilty, nolo contendere, or no contest, for any felony, gross misdemeanor, or misdemeanor offense?* **NOTE:** *The fact that a conviction has been pardoned, expunged, dismissed, stayed, or deferred, or that your civil rights have been restored, does not mean that you answer "NO;" you should answer "YES."* All applicants must disclose any misdemeanor, gross misdemeanor, or felony criminal convictions in response to this application question. Petty misdemeanors and ordinance violations are not required to be disclosed. If you have questions regarding the status or level of your criminal conviction, you may contact the county where your conviction occurred or seek assistance from an attorney. Failure to disclose criminal convictions on your application could result in denial of licensure or other disciplinary action.

At present, applicants are not required to submit to state and federal criminal background checks for licensing purposes. However, by January 1, 2018, all Minnesota health-related licensing boards will require all applicants for initial licensure, licensure by endorsement, or re-licensure after a lapse in licensure to submit to state and federal criminal history record checks completed by the Minnesota Bureau of Criminal Apprehension (BCA) and Federal Bureau of Investigation (FBI). <https://www.revisor.mn.gov/statutes/?id=214&view=chapter#stat.214.075>.

The Board has created a process to meet these state and federal background check requirements and will be implementing this process in the coming months. Any future updates on state and federal background check requirements for applicants will be posted on the Board's website.

What happens after I disclose my criminal conviction on my application to obtain a nursing license? Once an applicant has disclosed his or her misdemeanor, gross misdemeanor, or felony criminal conviction(s), a Board staff person may contact you in writing to obtain additional information about your disclosure(s). You will likely be asked to describe the circumstances surrounding your criminal conviction(s), i.e. what happened that led to you being convicted of a crime; explain any court or probation requirements; and address whether you have complied with the courts, including any court-ordered probation, education, or evaluations. You may be asked to submit documentation regarding your conviction and probation requirements. To obtain this documentation, please contact the county where your conviction occurred. If your conviction is an alcohol or drug-related offense, such as DWI or drug possession, the Board may ask you information about your health as it pertains to your substance use and treatment history.



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Once you have submitted the requested information, the Board will review the information and either grant or deny your application for licensure. Depending on the nature of your criminal conviction and evidence of rehabilitation, the Board may grant you a nursing license, but require certain conditions be placed on your license for a period of time to ensure public safety.

Failure to submit the information requested by the Board could be viewed as noncooperation with the Board's investigation and result in denial of licensure.

8/2016